

SUBJECT: A report and recommendation on a proposed zone change for (PD) Planned Development District #35 in the community of Winton Place.

PURPOSE: To determine the appropriate zoning for the Sun Chemical Corporation PD #35 District, which was created as part of the new Zoning Code process.

ADJACENT LAND USE/ZONING:

North: Single-family and Park & Recreation uses in the SF-6 Single-Family District.

South: Heavy Manufacturing uses in the ME Manufacturing Exclusive District.

East: Multi-family, commercial and vacant commercial uses in the RM-2.0 Residential-Multi-family District and CN-P Commercial Neighborhood-Pedestrian District.

West: Vacant, single-family and two-family uses in the SF-4 Single-Family District.

BACKGROUND:

In 1974, when the R-5(T) District was expanded, the staff report suggested several recommended conditions or guidelines. At that time, such guidelines had no more standing in the t-zone process than merely suggestions. When the Transitional District Regulations were amended 10 years later, the guidelines became part of the ordinance which had the approval of the City Planning Commission and City Council. The guidelines used for the Sun Chemical property specify those land uses, which may be permitted in the district.

During the development of the new Zoning Code, staff created a (PD) Planned Development Districts on the Sun Chemical Corporation property using the old R-5T District guidelines. This was done because the old t-zones used guidelines much like the new PD District uses a final development plan to regulate the use(s) of a site. This allowed the old t-zone guidelines, to continue to regulate this site.



Figure 1: Existing research building

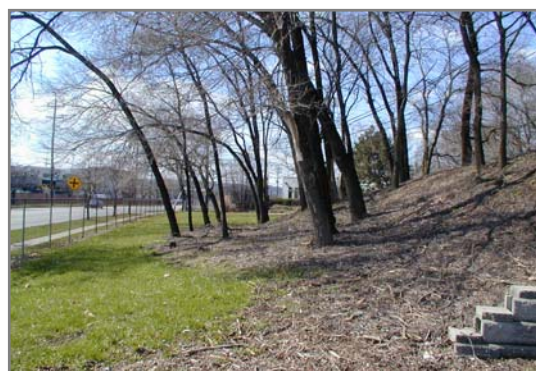


Figure 2: View of property going West on Este Ave.

ISSUES:

The Sun Chemical Corporation is approximately 15 acres in size. Mr. Herb Benson, a representative from Sun Chemical Corporation stated that, “they do not plan to change the current use of the site, and want to remain a good neighborhood to the surrounding property owners”. Staff believes that the current PD District zoning placed on the site, with the old R-5 (T) guidelines serving as the final development plan regulations is the appropriate zoning for the property. Rezoning the site to another district such as the ML Manufacturing Limited District would make the site conforming but would eliminate the guidelines protections, which were created to protect the surrounding residences from the existing use.



Figure 3: Abutting commercial property to the East of the Sun Chemical Corporation (intersection of Este Avenue & Kings Run Drive).



Figure 4: Abutting residential property to the West (intersection of East Epworth & Chickering Avenue).

COMMUNITY RESPONSE:

One resident (Harvey Davis) in the vicinity of the proposed site attended the April 25, 2006 staff conference and expressed his support for continuing the PD District. No response has been issued from the Winton Place Community Council regarding the zone change request.

CONCLUSIONS:

1. During the development of the new Zoning Code, staff created a (PD) Planned Development District on the Sun Chemical Corporation property using the old R-5T District guidelines as the final development plan regulations.
2. The property is built out with the Sun Chemical Corporation who wants to remain a good neighbor to surrounding property owners.
3. The existing PD District has the support from abutting residents.
4. Rezoning the site would make the site conforming but would eliminate the t-zone guidelines, which provided protection to the surrounding property owners.
5. Staff believes that the current PD District placed on the site is the appropriate zoning.

RECOMMENDATIONS:

The staff of the Department of Community Development and Planning recommends that the City Planning Commission approve the Planned Development District designation on the Sun Chemical Corporation site, which is currently listed as PD #35 with the old t-zone guidelines that were established in 1995, as the Final Development Plan for the Sun Chemical Corporation Development as listed below.

- E. Approve the old application of Transition Zone Guidelines for the Planned Development District #35 ~~R-5(T) District~~ located between Chickering Avenue and Kings Run Drive from Zig Zag Avenue to Este Avenue as listed below:

1. The following uses may be allowed in this district:

- a) Office permitted under ~~SEC. 1445-206~~ Schedule 1413-05 of the ~~M-4 ML District~~ Use Regulations;
- b) Experimental, analytical, research, or testing laboratories permitted under ~~SEC. 1445-208~~ Schedule 1413-05 Use Regulations of the ~~M-4 ML District~~ Use Regulations;
- c) Warehousing permitted under ~~SEC. 1441-207~~ Schedule 1409-07 of the ~~B-4 CC-M District~~ Use Regulations;
- d) Accessory parking lots and garages serving a use located in the District or on adjacent property on the south side of Este Avenue owned by the same owner;
- e) Accessory parking and staging areas of truck trailers serving a use located in the District or on adjacent property on the south side of Este Avenue owned by the same owner; however, trucks, including refrigerated trucks, may not be allowed to idle overnight in such lots or areas; and,
- f) Locker rooms and other structures accessory to a use located in the district or on adjacent property on the south side of Este Avenue owned by the same owner determined by the Director of Buildings and Inspections to be of similar character or usage.

- 2. Commercial manufacturing activities, except those incidental to the laboratories enumerated in 1b above, are prohibited.
- 3. A natural screen of existing trees, bushes and other vegetation must be preserved along the western boundary of the Transition District to buffer development of this area from adjacent residential properties as follows:

- a) A 40 foot wide buffer extending from the east extension of the south line of Flatt Terrace north to the center line of East Epworth Avenue;
 - b) A 60 foot wide buffer extending from the center line of East Epworth Avenue north to the center line of Reardon Avenue; and,
 - c) A 100 foot wide buffer extending from the center line of Reardon Avenue north to the center line of Zig Zag Avenue.
4. Vehicular or pedestrian access to the Transition District area from Chickering, East Epworth, Reardon, Creston or Zig Zag Avenues is prohibited except for emergency vehicles and normal maintenance activities which may access the site from either the Reardon Avenue or Creston Avenue right-of-way.
5. Lighting used to illuminate a parking facility or the premises in general must be arranged in a manner as to direct light away from adjoining properties in an ~~R~~ SF District.
6. Lighting of parking areas located on poles may not be higher than twenty feet above the paved surface.

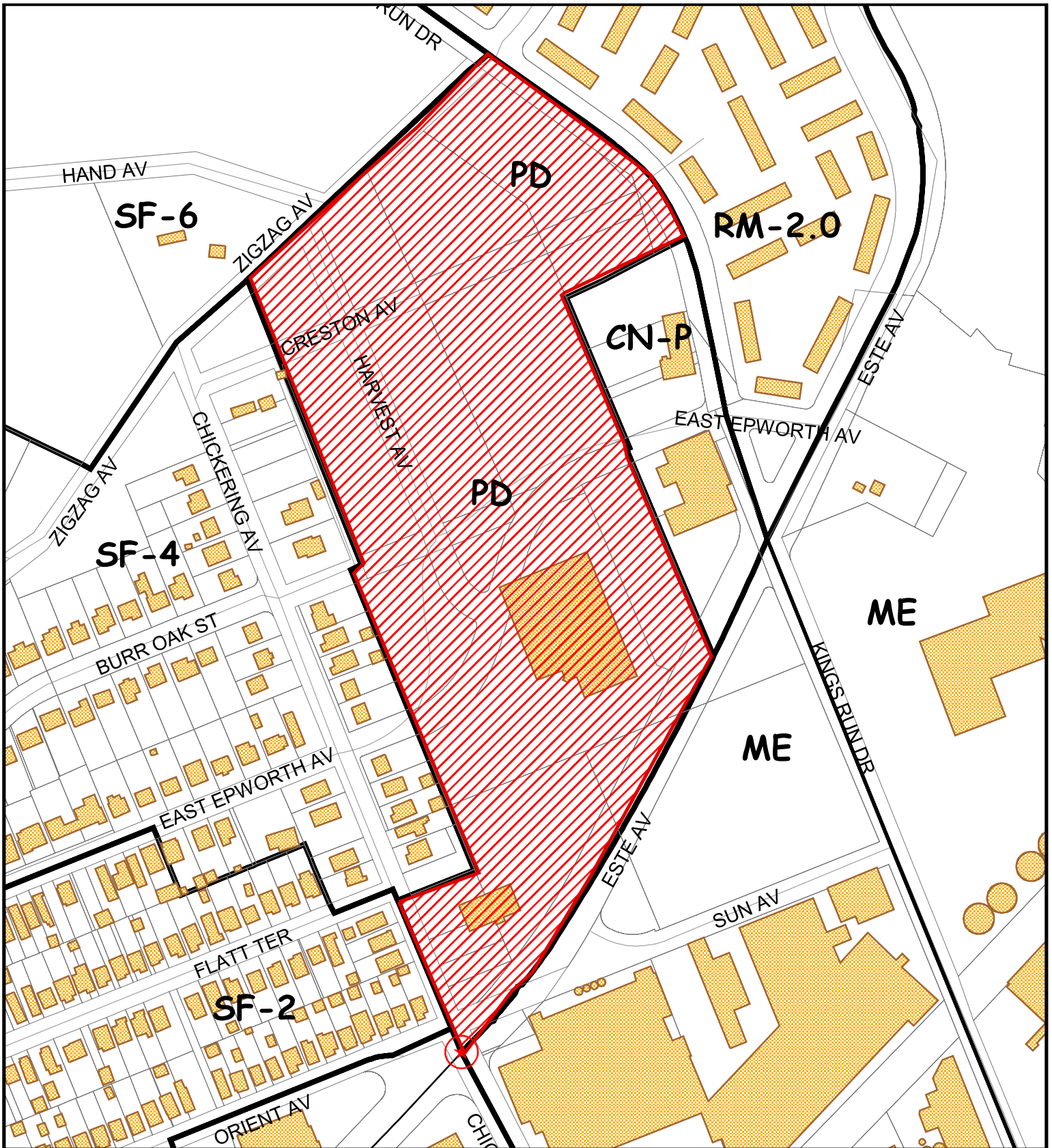
APPROVED:

Respectfully Submitted,

Margaret A. Wuerstle, AICP, Chief Planner
Department of Community Development & Planning

Rodney D. Ringer
Senior City Planner

MAW:RDR:hs



ZONE CHANGE VICINITY MAP

CASE: Sun Chemical Corporation (5020 Spring Grove Avenue)

 Proposed Site Area

Neighborhood: Winton Place
Department of Community Development and Planning

City Planning Commission

Department of Community
Development and Planning
805 Central Avenue, Suite 700
Centennial Plaza II
Cincinnati, Ohio 45202

